

REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1, 3, 5, 7-9, 11, 12, 14-24, and 26-30 are pending in this application, Claims 1, 12, 14, 15, 24, and 26-28 having been currently amended; and Claim 10 having been canceled without prejudice or disclaimer. Support for amended Claims 1, 12, 14, 15, 24, and 26-28 can be found, for example, in the original claims, drawings, and specification as originally filed.<sup>1</sup> No new matter has been added.

In the outstanding Office Action, Claims 1, 3-5, 7, 8, 10-12, 14-24, and 26-30 were rejected under 35 U.S.C. §102(b) as anticipated by Hill et al. (U.S. Patent No. 6,236,981; hereinafter “Hill”); and Claim 9 was rejected under 35 U.S.C. §103(a) as unpatentable over Hill in view of Van Berkel (U.S. Patent Publication No. 2002/0190964).

In response to the rejection of Claims 1, 3-5, 7, 8, 10-12, 14-24, and 26-30 under 35 U.S.C. §102(b) as anticipated by Hill, Applicants have amended independent Claim 1 to recite features formerly of Claim 10. Applicants respectfully submit that amended independent Claim 1 recites novel features clearly not taught or rendered obvious by the applied reference.

Amended independent Claim 1 is directed to an information processing device including, *inter alia*:

...device storing user information related to a user and communicating with a plurality of other information processing devices, said information processing device comprising:

presenting means for presenting by wireless communication user information to be read or changed by said other information processing device, *said user information includes preference information indicating preferences of said user*, and is updated on a basis of a history of use of

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<sup>1</sup> See original Claim 10.

contents provided from said other information processing device;

specifying means for specifying permission to read or change the user information presented by said presenting means;

identifying means for identifying said other information processing device;

storing means for storing the user information read or changed by said other information processing device identified by said identifying means in association with said other information processing device; and

communicating means for transmitting said user information by quasi-electrostatic field communication, electromagnetic wave communication, or optical communication directly between said information processing device and said other information processing device,

*wherein said preference information is transmitted to an information device specified by said user, and said information device is operated in correspondence with said preference information.*

Independent Claims 12, 14, 15, 24, and 26-28 recite substantially similar features as Claim 1. Thus, the arguments presented below with respect to Claim 1 are also applicable to Claims 12, 14, 15, 24, and 26-28.

Page 5 of the outstanding Office Action, in the rejection of former Claim 10, asserts that Hill describes “said user information has preference information indicating preferences of said user, and said preference information is transmitted to an information device specified by said user, and said information device is operated in correspondence with said preference information [payer information based on user preference inputted by user, column 13, lines 11-17].” Applicants respectfully disagree.

Column 13, lines 11-17 of Hill state:

The payer is responsible for handling requests for payment tokens. It receives requests from the network and decides whether to honour them. This decision is based on a number of factors, including user input, the number of tokens

remaining and the history of previous transactions. FIG. 7 gives a flow diagram for the payer.

Figure 1 of Hill shows a carnet 100 including a payer and a merchant module 500 also including a payer. Column 13, lines 11-17 of Hill describes that the payer is responsible for handling requests for payment tokens, and the payer receives requests from the network and decides whether to honor the request for payment tokens. The decision of honoring the request for payment tokens is based on factors including user input, a number of tokens remaining, and history of previous transactions. In contrast, in Applicants' Claim 1, in the information processing device stores user information which includes preference information indicating preferences of a user, and the user information is transmitted to an information device specified by the user. The information device is operated in correspondence with the preference information contained in the user information. In Hill, a decision is merely made based upon the history of previous transactions. Thus in Hill, an external device (i.e., information device specified by the user) is not operated based upon the user preferences that are received from an information processing device.

Thus, Applicants respectfully submit that independent Claims 1, 12, 14, 15, 24, and 26-28 (and all claims depending thereon) patentably distinguish over Hill.

Accordingly, Applicants respectfully request that the rejection of Claims 1, 3-5, 7-8, 10-12, 14-24, and 26-30 under 35 U.S.C. §102(b) as anticipated by Hill be withdrawn.

In response to the rejection of Claim 9 under 35 U.S.C. §103(a) as unpatentable over Hill in view of Van Berkel, Applicants note that Claim 9 is dependent on Claim 1 and is thus believed to be patentable for at least the reasons discussed above. Further, Applicants respectfully submit that Van Berkel fails to cure any of the above-noted deficiencies of Hill.

Accordingly, Applicants respectfully request that the rejection of Claim 9 under 35 U.S.C. §103(a) as unpatentable over Hill in view of Van Berkel be withdrawn.

Consequently, in view of the present amendment, and in light of the above discussion, the pending claims as presented herewith are believed to be in condition for formal allowance, and an early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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